HOUSE No. 5028

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 27, 2010.

The committee on Ways and Means to whom were referred the message from His Excellency the Governor submitting requests for making appropriations for the fiscal years 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No.4841), and the message from His Excellency the Governor relative to making appropriations for the fiscal years 2010 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4868) reports, in part, in each instance, that the accompanying bill (House, No. 5028) ought to pass [Total appropriation: \$231,347,260.00] [Representatives Polito of Shrewsbury and Webster of Pembroke, dissent].

For the committee,

CHARLES A. MURPHY

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act making appropriations for the Fiscal Years 2010 and 2011 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal years 2010 and 2011 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2010, the sums set forth in sections 2, 2A, 3, 3A and 3E are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. Notwithstanding any general or special law to the contrary, appropriations made in section 2 and section 2A shall not revert and shall be available for expenditure until June 30, 2010.

| 11 | SECTION 2. |
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| 12 | OFFICE OF THE STATE COMPTROLLER |
| 13 | Office of the State Comptroller |
| 14 | 1599-3384\$4,000,000 |
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| 16 | EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE |
| 17 | Department of Revenue |
| 18 | 1232-0100\$10,900,000 |
| 19 | 1232-0200\$230,905 |
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| 22 | SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to |
| 23 | provide for an alteration of purpose for current appropriations, and to meet certain requirements |
| 24 | of law, the sums set forth in this section are hereby appropriated from the General Fund unless |
| 25 | specifically designated otherwise in this section, for the several purposes and subject to the |
| 26 | conditions specified in this section, and subject to the laws regulating the disbursement of public |
| 27 | funds for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts |
| 28 | previously appropriated and made available for the purposes of those items. |
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| 30 | TREASURER AND RECEIVER-GENERAL |
| 31 | Office of the Treasurer and Receiver-General |
| 32 | 0699-0005 For the payment of interest, discount and principal on certain bonded debt and |
| 33 | the sale of bonds of the commonwealth, the state treasurer may retain and |
| 34 | expend in fiscal years 2010 and 2011 payments received by the |
| 35 | commonwealth from the United States Treasury for subsidies related to tax |
| 36 | credit bonds issued by the commonwealth not to exceed \$50,000,000 for the |
| 37 | purpose of paying interest on commonwealth long-term debt; and provided |

further, that the state treasurer may retain up to \$25,000,000 in premiums paid on the sales of revenue anticipation notes and expend said premium payments for the purposes of paying principal and interest on account of the revenue anticipation notes provide that this appropriation shall not expire until June \$75,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

1599-4303 For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Barnstable county sheriff's department and the American Federation of State, County

adjustments and other economic benefits authorized by the collective bargaining agreement between the Barnstable county sheriff's department and the International Brotherhood of Correctional Officers, Local 217 (Radio Technicians), and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions;

1599-4308 For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the

1599-4309 For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Berkshire county sheriff's department and the Berkshire County Sheriff's Office Employees Association, and to meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts that are

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1599-4310 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Bristol county sheriff's department and the National Association of Government Employees, Local RI 163, Units A and C, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available 1599-4313 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Bristol county sheriff's department and the National Correctional Employees Union, Unit B, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be

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adjustments and other economic benefits authorized by the collective bargaining agreement between the Franklin county sheriff's department and the Non-Unit Employees' Association/NCEU, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement;

adjustments and other economic benefits authorized by the collective bargaining agreement between the Franklin county sheriff's department and the National Correctional Employees Union, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs

1599-4316 For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampden county sheriff's department and the Hampden County National Correctional Employees Union, and to meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; and provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and

1599-4317 For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampden county sheriff's department and the Non-Uniformed Correctional Officers Association, and to meet the fiscal year 2011 costs of salary adjustments and other

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282 1599-4319 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary 283 adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire county sheriff's department and 284 the Non-Uniformed Correctional Officers Association, and to meet the fiscal 285 year 2010 and fiscal year 2011 costs of salary adjustments and other economic 286 benefits necessary to provide equal adjustments and benefits to employees 287 288 employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the 289 290 secretary of administration and finance, shall determine these adjustments and 291 benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these 292 positions; provided further, that the secretary may transfer from the sum 293 appropriated in this item to other items of appropriation and allocations 294 295 thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the 296 297 purpose, in accordance with a transfer plan which shall be filed in advance 298 with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be 299 made available for expenditure until June 30, 2011\$36,329 300

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adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire county sheriff's department and the Superior Officers Association, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary

adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire county sheriff's department and the Sheriff's Office Treatment Association, Local 1459, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum

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1599-4322 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex county sheriff's department and the New England Police Benevolent Association/AFL-CIO, Local 500, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011......\$235,177

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1599-4323 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex county sheriff's department and the Superior Officers Association, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available

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adjustments and other economic benefits authorized by the collective bargaining agreement between the Middlesex county sheriff's department and the Teamsters Local 122, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential

adjustments and other economic benefits authorized by the collective bargaining agreement between the Norfolk county sheriff's department and the National Association of Government Employees, RI-202, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and

allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011......\$25,026

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1599-4327 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Norfolk county sheriff's department and the National Association of Government Employees, Local 296, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011......\$28,888 1599-4333 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Suffolk county sheriff's department and the National Association of Government Employees, Local 298, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011......\$57,708

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adjustments and other economic benefits authorized by the collective bargaining agreement between the Berkshire county sheriff's department and the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers - Communications Workers of America, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to

adjustments and other economic benefits authorized by the collective bargaining agreement between the Franklin county sheriff's department and the Franklin Captains NCEU, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year

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1599-4361 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Hampshire county sheriff's department and the Hampshire Correction Officers NCEU, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$42,876 1599-4362 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Bristol county sheriff's department and the Bristol K-9 Unit/NCEU, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$3,469

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adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the International Brotherhood of Police Officers, Local 432 (A&B Units) (Unit A06), for the Amherst campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in

adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the University Staff Association/MTA/NEA (Unit A08), for the Amherst campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in

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1599-4402 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Non-Exempt Supervisors Unit, Unit B/MTA/NEA (Unit A15), for the Amherst campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be file d in advance with the house and senate committees on ways and means; and provided further, that any

| unexpended funds from this item shall not revert and shall be made available | |
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| for expenditure until June 30, 2011 | 19,667 |

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1599-4403 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Massachusetts Society of Professors/Faculty Staff Union/MTA/NEA (Units A50 and B40), for the Amherst and Boston campuses, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$1,368,521

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1599-4404 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the

Professional Staff Union/MTA/NEA (Units A52 and B42), for the Amherst and Boston campuses, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$1,397,337

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adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Classified Staff Union/MTA/NEA (Units B31 and B32), for the Boston campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration

adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the International Brotherhood of Teamsters, Local 25 (Unit B33), for the Boston campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs

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1599-4409 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the American Federation of State, County and Municipal Employees, Local 507, AFL-CIO (Unit D82), for the Dartmouth campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$66,590

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1599-4410 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the International Brotherhood of Police Officers, for the Dartmouth campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30.

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1599-4411 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the American Federation of Teachers, Local 1895, AFL-CIO, Educational Services Unit (Unit D85), for the Dartmouth campus, and to meet the fiscal

adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Massachusetts Society of Professors/Lowell/MTA/NEA (Unit L90), for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining

1599-4413 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the MTA/NEA Clerical/Technical Unit (Unit L92), for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011......\$18,571

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1599-4414 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the MTA/NEA Maintenance/Trades Unit (Unit L93), for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30,

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1599-4415 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the

International Association of University Police Officers for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$263,733

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adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Service Employees International Union, Local 888 (Unit L95), for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration

adjustments and other economic benefits authorized by the collective bargaining agreement between the Board of Higher Education and the Association of Federal, State, County and Municipal Employees, Council 93, Local 1067, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs

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1599-4420 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Board of Higher Education and the Massachusetts Teachers Association/National Education Association Associated Professional Administrators, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011\$1,967,273 1599-4421 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Board of Higher Education and the Massachusetts **Teachers** Association/National Education Associated Massachusetts Community Colleges Council, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2011.....\$28,841

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adjustments and other economic benefits authorized by the collective bargaining agreement between the Board of Higher Education and the Massachusetts Teachers Association/National Education Association State College Faculty, and to meet the fiscal year 2010 and fiscal year 2011 costs of

adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Dartmouth AFT/MFT Faculty & Librarians, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions;

1599-4425 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the University of Massachusetts and the Dartmouth Maintenance & Trades MFT, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any

| unexpended funds from this item sl | hall not revert and | shall be made available | |
|--------------------------------------|---------------------|-------------------------|--------|
| for expenditure until June 30, 2011. | | \$ | 33,232 |

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Fish and Game

\$200,000 from the administrative handling charge revenues received from electronic transactions processed through its online licensing and registration systems under chapter 61 of the acts of 2007; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commissioner may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system\$200,000

SECTION 2C.I. For the purpose of making available in fiscal year 2011 balances of appropriations which otherwise would revert on June 30, 2010, the unexpended balances of the maintenance appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of the general appropriation act for fiscal year 2011; provided, that items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of the general appropriation act; provided, however, that for items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in said section 2 or 2A of this act or in

| 1007 | prior appropriation a | acts. The sums re-appropriated in this section shall be in add | dition to any |
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| 1008 | amounts available for | r said purposes. | |
| 1009 | | | |
| 1010 | | APPEALS COURT | |
| 1011 | 0322-0100 | | \$135,000 |
| 1012 | | | |
| 1013 | | TRIAL COURT | |
| 1014 | 0330-0300 | | \$9,000,000 |
| 1015 | | | |
| 1016 | | OFFICE OF THE SECRETARY OF STATE | |
| 1017 | 0521-0000 | | \$257,041 |
| 1018 | | | |
| 1019 | | OFFICE OF THE STATE COMPTROLLER | |
| 1020 | | Office of the State Comptroller | |
| 1021 | | | |
| 1022 | 1599-3384 | | \$4,000,000 |
| 1023 | | | |
| 1024 | EXEC | UTIVE OFFICE FOR ADMINISTRATION AND FINANCE | |
| 1025 | | Office of the Secretary of Administration and Finance | |
| 1026 | 1100-1560 | | \$579,905 |
| 1027 | | Reserves | |
| 1028 | 1599-4281 | | \$10,000 |
| 1029 | 1599-4282 | | \$10,000 |
| 1030 | 1599-4283 | | \$10,000 |
| 1031 | 1599-4284 | | \$10,000 |
| 1032 | | | |
| 1033 | | Department of Revenue | |

| 1034 | 1232-0100\$10,900,000 |
|------|---|
| 1035 | 1232-0200\$230,905 |
| 1036 | |
| 1037 | EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS |
| 1038 | Office of the Secretary of Energy and Environmental Affairs |
| 1039 | 2000-1700\$100,000 |
| 1040 | |
| 1041 | EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES |
| 1042 | |
| 1043 | Office of the Secretary of Health and Human Services |
| 1044 | 4000-1700\$1,350,000 |
| 1045 | |
| 1046 | Division of Medical Assistance |
| 1047 | 4000-0600\$1,788,197 |
| 1048 | |
| 1049 | EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT |
| 1050 | Office of the Secretary of Housing and Economic Development |
| 1051 | 7002-0017\$300,000 |
| 1052 | |
| 1053 | EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT |
| 1054 | Department of Workforce Development |
| 1055 | 7003-0701\$5,000,000 |
| 1056 | |
| 1057 | EXECUTIVE OFFICE OF EDUCATION |
| 1058 | Department of Early Education and Care. |
| 1059 | 3000-4060\$5,000,000 |
| 1060 | Office of the Secretary of Education |

| 1061 | 7009-1700\$250,000 |
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| 1062 | |
| 1063 | |
| 1064 | EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY |
| 1065 | Office of the Secretary of Public Safety and Security |
| 1066 | |
| 1067 | 8000-1700\$160,000 |
| 1068 | State Police |
| 1069 | |
| 1070 | \$5,223,089 |
| 1071 | Department of Corrections |
| 1072 | |
| 1073 | 8900-0001\$7,086,698 |
| 1074 | |
| 1075 | SECTION 2C.II. For the purpose of making available in fiscal year 2011 balances of |
| 1076 | retained revenue and intragovernmental chargeback authorizations which otherwise would revert |
| 1077 | on June 30, 2010, the unexpended balances of the authorizations listed below, not to exceed the |
| 1078 | amount specified below for each item, are hereby re-authorized for the purposes of and subject to |
| 1079 | the conditions stated for the corresponding item in section 2 or 2B of the general appropriation |
| 1080 | act for fiscal year 2011; provided, that for items which do not appear in section 2 or 2B of the |
| 1081 | general appropriation act, the amounts in this section are re-authorized for the purposes of and |
| 1082 | subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in |
| 1083 | prior appropriation acts. Amounts in this section are re-authorized from the fund or funds |
| 1084 | designated for the corresponding item in said section 2 or 2B of the general appropriation act; |
| 1085 | however, for items which do not appear in said section 2 or 2B of the general appropriation act, |
| 1086 | the amounts in this section are re-authorized from the fund or funds designated for the |

1087 corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-1088 authorized in this section shall be in addition to any amounts available for those purposes. 1089 1090 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS 1091 Department of Fish and Game 1092 2300-1011\$200,000 1093 1094 1095 1096 To provide for supplementing certain items in the general appropriation act and 1097 other appropriation acts for fiscal year 2011, the sums set forth in section 3 are hereby appropriated 1098 from the General Fund unless specifically designated otherwise in this act or in those appropriation 1099 acts, for the several purposes and subject to the conditions specified in this act or in those 1100 appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal 1101 year ending June 30, 2011. These sums shall be in addition to any amounts previously appropriated 1102 and made available for the purposes of those items. 1103 1104 SECTION 3. 1105 1106 1107 1108 **JUDICIARY** 1109 1110 Suffolk District Attorney 1111 0340-0100 \$151,884

| 1113 | | Middlesex District Attorney | |
|------|-----------|---------------------------------------|-----------|
| 1114 | 0340-0200 | | \$130,386 |
| 1115 | | | |
| 1116 | | Eastern District Attorney. | |
| 1117 | 0340-0300 | | \$80,110 |
| 1118 | | | |
| 1119 | | Worcester District Attorney. | |
| 1120 | 0340-0400 | | \$84,664 |
| 1121 | | | |
| 1122 | | Hampden District Attorney. | |
| 1123 | 0340-0500 | | \$76,230 |
| 1124 | | | |
| 1125 | | Hampshire/Franklin District Attorney. | |
| 1126 | 0340-0600 | | \$47,464 |
| 1127 | | Norfolk District Attorney. | |
| 1128 | 0340-0700 | | \$78,100 |
| 1129 | | Plymouth District Attorney. | |
| 1130 | 0340-0800 | | \$67,746 |
| 1131 | | | |
| 1132 | | Bristol District Attorney. | |
| 1133 | 0340-0900 | | \$70,486 |
| 1134 | | Cape and Islands District Attorney. | |

| 1135 | 0340-1000 | | \$34,454 |
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| 1136 | | | |
| 1137 | | | |
| 1138 | | Berkshire District Attorney. | |
| 1139 | 0340-1100 | | \$33,550 |
| 1140 | | DISTRICT ATTORNEYS' ASSOCIATION. | |
| 1141 | 0340-2100 | | \$490,470 |
| 1142 | | | |
| 1143 | 0340-8908 | | \$38,534 |
| 1144 1145 | | EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE | |
| 1146 | | Department of Revenue. | |
| 1147 | | | |
| 1148 | 1201-0100 | | \$1,000,000 |
| 1149 | | | |
| 1150 | | | |
| 1151 | | | |
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| 1153 | E | EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES. | |
| 1154 | | | |
| 1155 | | Executive Office of Health and Human Services. | |
| 1156 | | | |
| 1157 | 4000-0500 | | \$27,624,511 |
| 1158 | 4000-0700 | | \$192,848,914 |

| \$79,190,264 | | 4000-0950 | 1159 |
|--------------|--|-----------|------|
| \$500,000 | | 40000990 | 1160 |
| \$27,501,735 | | 4000-1405 | 1161 |
| | | | 1162 |
| | Department of Public Health | | 1163 |
| \$2,000,000 | | 4513-1020 | 1164 |
| | | | 1165 |
| | | | 1166 |
| | OFFICE OF DISABILITIES AND COMMUNITY SERVICES. | | 1167 |
| | | | 1168 |
| | OFFICE OF HEALTH SERVICES. | | 1169 |
| | | | 1170 |
| | Department of Mental Health. | | 1171 |
| | | | 1172 |
| | | | |
| \$6,426,590 | | 5095-0015 | 1173 |
| | | | 1174 |
| | Department of Developmental Services. | | 1175 |
| | | | 1176 |
| \$2,500,000 | | 5911-1003 | 1177 |
| | | | 1178 |
| | | | |
| \$11,285,254 | | 5920-2000 | 1179 |
| \$4,469,447 | | 5920-2010 | 1180 |

| 1181 | 5920-2025\$8,000,000 |
|------|---|
| 1182 | 5920-3000\$1,516,886 |
| 1183 | |
| 1184 | |
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| 1187 | EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT. |
| 1188 | |
| 1189 | |
| 1190 | |
| 1191 | Department of Housing and Community Development. |
| 1192 | |
| 1193 | 7004-0101\$22,000,000 |
| 1194 | |
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| 1199 | EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY. |
| 1200 | |
| 1201 | |
| 1202 | |
| 1203 | Department of Correction. |
| 1204 | 8900-0001\$18,000,000 |

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| 1207 | |
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| 1209 | EXECUTIVE OFFICE OF ELDER AFFAIRS. |
| 1210 | |
| 1211 | Office of the Secretary. |
| 1212 | |
| 1213 | |
| 1214 | 9110-1630\$3,970,268 |
| 1215 | |
| 1216 | 9110-1633 |
| 1217 | |
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| 1219 1220 | |
| 1221 | SECTION 3A. To provide for certain unanticipated obligations of the commonwealth, to |
| 1222 | provide for an alteration of purpose for current appropriations, and to meet certain requirements |
| 1223 | of law, the sums set forth in this section are hereby appropriated from the General Fund unless |
| 1224 | specifically designated otherwise in this section, for the several purposes and subject to the |
| 1225 | conditions specified in this section, and subject to the laws regulating the disbursement of public |
| 1226 | funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts |
| 1227 | previously appropriated and made available for the purposes of those items. |
| 1228 1229 | Department of Revenue |
| 1230 | |

1201-0130 For the department of revenue which may expend for the operation of the department not more than \$22,730,000 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who are delinquent either in the filing of a tax return or the payment of a tax due and payable to the commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a prior fiscal year; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to, the following: (1) the amount of revenue produced from these additional auditors; and (2) the amount of revenue produced by this item in fiscal years 2007, 2008, 2009 and 2010......\$22,730,000

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1250 1750-0102 For the human resources division which may expend not more than \$2,031,977 from 1251 revenues collected from fees charged to applicants for civil service and non-civil 1252 service examinations and fees charged for the costs of goods and services rendered in 1253 administering training programs; provided, that the division shall collect from 1254 participating non-state agencies, political subdivisions and the general public, fees 1255 sufficient to cover all costs of the programs, including, but not limited to, a fee to be 1256 collected from each applicant for a civil service examination or non-civil service 1257 examination, notwithstanding clause (n) of section 5 of chapter 31 of the General

| Laws or any other general or special law to the contrary; provided further, that the |
|--|
| human resources division may also expend revenues collected for implementation of |
| the health and physical fitness standards program established pursuant to sections |
| 61A and the wellness program established pursuant to section 61B of chapter 31 of |
| the General Laws and those programs in chapter 32 of the General Laws; provided |
| further, that the personnel administrator shall charge a fee of not less than \$50 to be |
| collected from each applicant who participates in the physical ability test; provided |
| further, that the human resources division shall submit a semi-annual report to the |
| house and senate committees on ways and means detailing all expenditures on the |
| program including, but not limited to, the costs of personnel, consultants, |
| administration of the wellness program, establishment of standards and any other |
| related costs of the program; provided further, that notwithstanding any general or |
| special law to the contrary, for the purpose of accommodating timing discrepancies |
| between the receipt of retained revenues and related expenditures, the division may |
| incur expenses and the comptroller may certify for payment amounts not to exceed |
| the lower of this authorization or the most recent revenue estimate as reported in the |
| state accounting system; and provided further, that the division shall report to the |
| house and senate committees on ways and means by February 1, 2011, on the |
| projected costs of the program for fiscal year 2011\$2,031,977 |

1279 Reserves

1599-1759 For a reserve account for the costs of providing safe and clean water to residents in the town of Stow who are serviced by Assabet Water Company ...100,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Department of Workforce Development

| 1285 | |
|--------------|--|
| 1286 | 7003-0703 For the purposes of re-training of employees displaced due to the closure of |
| 1287 | dog and horse racetrack operations\$2,000,000 |
| 1288 1289 | Workforce Training Fund 100.000% |
| 1290 | |
| 1291 | SECTION 4 . The first sentence of clause (8) of subsection (a) of section 172 of chapter 6 of the |
| 1292 | General Laws, as appearing in section 21 of chapter 256 of the acts of 2010, is hereby amended |
| 1293 | by striking out the words "department of telecommunications and energy" and inserting in place |
| 1294 | thereof the following words:- department of telecommunications and cable and the department of |
| 1295 | public utilities. |
| 1296 | SECTION 5. The second sentence of said clause (8) of said subsection (a) of said section 172 |
| 1297 | of said chapter 6, as so appearing, is hereby amended by striking out the words "department of |
| 1298 | utilities" and inserting in place thereof the following words:- department of telecommunications |
| 1299 | and cable and the department of public utilities. |
| 1300 | SECTION 6. Clause (25) of said subsection (a) of said section 172 of said chapter 6, as so |
| 1301 | appearing, is hereby amended by striking out the words "social services" and inserting in place |
| 1302 | thereof the following words:- children and families. |
| 1303 | SECTION 7. Clause (5) of subsection (b) of section 14C of chapter 7 of the General Laws, as |
| 1304 | appearing in section 8 of chapter 131 of the acts of 2010, is hereby amended by striking out the |
| 1305 | figure "88" and inserting in place thereof the following figure:- 89. |
| 1306 | SECTION 8. Section 61 of chapter 10 of the General Laws is hereby amended by striking out |
| 1307 | the figure "2010", inserted by section 10 of chapter 120 of the acts of 2009, and inserting in |
| 1308 | place thereof the following figure:- 2011. |
| 1309 | SECTION 9. Section 6A of chapter 18B of the General Laws, as appearing in the 2008 Official |
| 1310 | Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the |
| 1311 | following paragraph:- |
| 1312 | The commissioner shall appoint a foster care review director who shall establish an |
| 1313 | independent foster care review unit within the department. The director shall appoint, subject to |
| 1314 | the approval of the commissioner, the members of the unit who shall be employees of the |
| 1315 | department, shall devote their full time exclusively to case reviews and shall convene and |

1316 conduct administrative case reviews of the status of each child in the care of the department and 1317 young adults who remain under the responsibility of the department pursuant to subsection (f) of section 23 of chapter 119, at least once every 6 months. The reviews shall be performed by 1318 panels consisting of 1 member of the unit and 2 other persons, at least 1 of whom shall not be an 1319 1320 employee of the department and represent to the maximum extent feasible the various socioeconomic, racial and ethnic groups served by the panel. No panel member shall be the 1321 social worker with direct case responsibility for the child or young adult whose case is being 1322 reviewed or the immediate supervisor of the social worker. Such reviews shall be held at 1323 convenient locations throughout the commonwealth and shall be chaired by the member of the 1324 1325 panel from the unit. Panel members shall have sufficient experience or training to enable them to make recommendations. 1326

- 1327 **SECTION 10**. Said section 6A of said chapter 18B, as so appearing, is hereby further amended
- by inserting after the word "agent", in line 29, the following words:-, or live permanently with
- kin or another permanent planned living arrangement.
- 1330 **SECTION 11**. Section 4 of chapter 21L of the General Laws, is hereby amended by striking out
- subsection (f), as amended by section 3 of chapter 101 of the acts of 2009, and inserting in place
- thereof the following subsection:-
- (f) Whoever owns or operates a tank vessel carrying 6,000 or more barrels of oil from which oil is spilled into Buzzards Bay and who: (i) fails to provide notice in accordance with subsection (a) of section 9 of chapter 21M; or (ii) if such vessel was unaccompanied by a tugboat escort, provides notice in accordance with said subsection (a) of said section 9 of said chapter 21M, but fails to request a state pilot in accordance with subsection (b) of said section 9 of said chapter 21M; and (iii) violates this chapter shall be assessed triple the penalties provided in this
- 1339 section.
- SECTION 12. The first sentence of section 1 of chapter 23A of the General Laws, as appearing
- in section 13 of chapter 240 of the acts of 2010, is hereby amended by inserting after the words
- "director of" the following words:- Massachusetts office of.
- 1343 **SECTION 13.** The first sentence of subsection (d) of section 13A of said chapter 23A of the
- General Laws, as appearing in section 32 of chapter 240 of the acts of 2010, is hereby amended
- by striking out the word "bi-annually" and inserting in place thereof the following: biennially.
- 1346 **SECTION 14**. Subparagraph (b) of paragraph 5 of section 30 of chapter 63 of the General
- Laws, as amended by section 120 of chapter 240 of the acts of 2010, is hereby further amended
- by striking out the last paragraph and inserting in place thereof the following paragraph:-

Losses sustained in any taxable year prior to January 1, 2010, may be carried forward for not more than 5 years and may not be carried back. Losses sustained in any taxable year beginning on or after January 1, 2010, may be carried forward for not more than 20 years and may not be carried back.

- **SECTION 15**. The definition of "Police chief" in section 1 of chapter 90C of the General Laws, as amended by section 74 of chapter 189 of the acts of 2010, is hereby further amended by inserting after the words "the chairman of the Massachusetts Department of Transportation" the following words:-, or the director of environmental law enforcement within the executive office of energy and environmental affairs.
- SECTION 16. The first paragraph of paragraph (4) of subsection (A) of section 3 of said chapter 90C, as amended by section 57 of chapter 131 of the acts of 2010, is hereby further amended by adding the following words:-; provided, however, that the registrar may retain from the court filing fees an amount not greater than \$200,000 for fiscal year 2011 for information technology associated with the implementation of this section; and provided, further that the registrar may retain an amount not greater than \$100,000 annually for personnel costs associated with the processing of those filing fees.
 - **SECTION 17.** Chapter 111 of the General Laws is hereby amended by inserting after section 5A the following section:—

Section 5A½. (a) There is hereby established and set up on the books of the commonwealth a separate trust fund to be known as the Emergency Stockpile Trust Fund for the purpose of effectively facilitating emergency management and pandemic preparedness in accordance with section 5A. The fund shall consist of monies collected pursuant to this section and any income derived from the investing of amounts credited to the fund. The department shall accept monies from municipalities, counties, healthcare facilities and other entities for the purpose of participating in federal contracts under 42 U.S.C. section 247d-6b and made available to states under 42 USC section 247d-3a. The commissioner shall be the trustee of the fund.

- (b) Participating municipalities, counties, and healthcare facilities shall cooperate with the department to ensure that the lowest cost prices are obtained for necessary medicines and associated supplies. The commissioner, or a designee, shall decide whether medicine and associated supplies are acceptable for the purposes of this section. The department shall designate an employee within the department to administer the development and execution of the fund.
- (c) The department shall oversee the distribution of the funds and shall ensure that the distribution complies with the commonwealth's emergency management plan. All monies deposited in the fund shall be expended on behalf of the contributing municipalities, counties or

healthcare facilities for the purchase of health care products and supplies needed for the purposes

set forth in the commonwealth's comprehensive emergency management plan and made

available under contracts accessible to the commonwealth under 42 USC section 247d-3a and to

support any reasonable and necessary administrative costs incurred by the department in

managing the purchase of such products and supplies or otherwise overseeing the distribution of

monies deposited into the fund. All monies deposited into the fund shall be expended exclusively

for the purposes set forth in this section.

1391 **SECTION 18.** Section 21 of chapter 119 of the General Laws, as appearing in the 2008 Official

Edition, is hereby amended by adding the following definition:- "Young adult", a person

between the ages of 18 and 22.

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SECTION 19. Section 23 of chapter 119 of the General Laws is hereby amended by striking out subsection (f), as so appearing, and inserting in place thereof the following subsection:-

(f) The department shall offer to continue its responsibility to any young adult who is under the custody, care, or responsibility of the department including, but not limited to, those persons who meet any of the criteria set forth in 42 USC § 675(8)(B)(iv): (i) for the purposes of specific educational or rehabilitative programs, or (ii) to promote and support that person in fully developing and fulfilling that person's potential to be a participating citizen of the commonwealth under conditions agreed upon by both the department and that person. The department's continued responsibility for such persons is contingent upon the express written consent of the person or their guardian unless: (i) before reaching the age of 18, the person had an intellectual disability and was declared mentally incompetent under clause (3) of subsection (a) while under the responsibility of the department; or (ii) the person is under the responsibility of the department pursuant to section 5-305 of chapter 190B. The purposes and conditions of such responsibility may be reviewed and revised or terminated by either the person or the department; provided, however, that within 90 days before the termination of such responsibility, the department shall provide the person with assistance and support in developing a transition plan which fulfills the requirements of 42 USC § 675(5)(H). If after termination the person requests that the department renew its responsibility therefor, the department shall make every reasonable attempt to provide a program of support which is acceptable to the person and which permits the department to renew its responsibility; provided, however, that the department may require the person to meet 1 of the criteria set forth in 42 USC § 675(8)(B)(iv). If the department renews its responsibility, all other provisions of this subsection shall apply. The department shall report annually to the child advocate, the senate and house chairs of the joint committee on children, families and persons with disabilities and the chairs of the senate and house committees on ways and means on the number of persons it serves and declines to serve under this subsection.

SECTION 20. Section 29 of said chapter 119, as so appearing, is hereby amended by striking out the first two full paragraphs and inserting in place thereof the following two paragraphs-

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The following persons shall have and shall be informed of the right to counsel, and the court shall appoint counsel for all such persons if the person is not able to retain counsel: (i) an adult who is under the responsibility of the department under clause (1) of subsection (a) of section 23; (ii) a child who is before the court under clauses (1) and (3) of said subsection (a) of said section 23, sections 24 to 27, inclusive, or section 29B; (iii) a child in a custody proceeding where the department or a licensed placement agency is a party; and (iv) any young adult to whom subsection (f) of section 23 applies.

Whenever the department or a licensed child placement agency is a party to child custody proceedings, the parent, guardian or custodian of the child, or a parent or guardian of an adult who is the responsibility of the department under clause (3) of subsection (a) of section 23: (i) shall have and be informed of the right to counsel at all such hearings, including proceedings under sections 5-201, 5-204 or 5-206 of chapter 190B, and that the court shall appoint counsel if the parent, guardian or custodian is financially unable to retain counsel; and (ii) shall have and be informed of the right to a service plan or case plan for the child and the child's family, or an adult who is the responsibility of the department under clause (3) of subsection (a) of section 23, which complies with applicable state and federal laws and regulations for these plans. Any young adult to whom subsection (f) of section 23 applies is also entitled to such service plan or case plan. The probate and family court and the juvenile court departments of the trial court shall establish procedures for: (i) notifying the parent, guardian or custodian of these rights; and (ii) appointing counsel for an indigent parent, guardian or custodian within 14 days of a licensed child placement agency filing or appearing as a party in any such action. The department or agency shall provide a copy of the service or case plan to the parent, guardian or custodian of the child or of an adult who is the responsibility of the department under clause (3) of subsection (a) of section 23, or to an adult who is the responsibility of the department under clause (3) of subsection (a) of section 23 or section 5-305 of chapter 190B, or any young adult to whom subsection (f) of section 23 applies and to the attorneys for all parties appearing in the proceeding within 45 days of the department or agency filing an appearance in such proceeding. Thereafter, any party may have the original or changed plan introduced as evidence, and with the consent of all parties the plan shall be filed with the court. Notwithstanding this section, the court may make such temporary orders as may be necessary to protect the adult who is under the responsibility of the department under clause (3) of subsection (a) of section 23 or the child and society.

SECTION 21. Said chapter 119 is hereby further amended by striking out section 29B and inserting in place thereof the following section:-

Section 29B. (a) Except as provided in subsection (d), within 12 months of the original commitment, grant of custody, or transfer of responsibility of a child to the department by a court

of competent jurisdiction, and not less than every 12 months thereafter while the child remains in the care of the department, the committing court shall conduct a permanency hearing, in accordance with rules established by the chief justice for administration and management, to determine and periodically review thereafter the permanency plan for the child. The plan shall address whether and, if applicable, when: (i) the child will be returned to the parent; (ii) the child will be placed for adoption and the steps the department will take to free the child for adoption; (iii) the child will be referred for legal guardianship; (iv) the child will be placed in permanent care with relatives; or (v) the child will be placed in another permanent planned living arrangement. The department shall file a permanency plan prior to a permanency hearing that shall address the above placement alternatives. The court shall consult with the child in an age-appropriate manner about the permanency plan developed for the child.

- (b) The committing court shall continue to hold annual permanency hearings as described in subsection (a) for young adults to whom subsection (f) of section 23 applies. The young adult shall be entitled to counsel as set forth in section 29.
- (c) If a child or a young adult is not to be returned to the child or young adult's parents, the permanency plan shall consider in-state and out-of-state placement options. In the case of a child placed in foster care outside the state in which the home of the parents of the child is located or a young adult in an out-of-state placement, the permanency plan shall also address whether the out-of-state placement continues to be appropriate and in the best interests of the child or young adult. In the case of a child who has attained age 16 or any young adult, the permanency plan shall also address the services needed to assist the child or young adult in making the transition from foster care to independent living; and provided further, that the court shall consult with the child or young adult in an age-appropriate manner about the permanency plan. If a person in the custody of or under the responsibility of the department has attained the age of 17 years and 9 months, the permanency plan shall also address the status of and the topics of the transition plan required under 42 USC § 675(5)(H); and provided further, the court shall retain jurisdiction until it finds, after a hearing at which the person is present unless the person chooses otherwise, that a satisfactory transition plan has been provided for the person.
- (d) In conducting a permanency hearing, the court may make any appropriate order as may be in the child or the young adult's best interests including, but not limited to, orders with respect to care or custody. At the same time, the court shall consider the provisions of section 29C, and shall make the written certification and determinations required by said section 29C. The health and safety of the child or young adult shall be of paramount, but not exclusive, concern.

The permanency hearing for a child or young adult shall be held within 30 days of a hearing at which a court determines that reasonable efforts to preserve and reunify families are

not required pursuant to section 29C. The court may, however, make such determination at the time of the permanency hearing.

If continuation of reasonable efforts to return a child or young adult safely to the child's parent or guardian are found to be inconsistent with the permanency plan for the child or young adult or if reasonable efforts are not required pursuant to section 29C, or in the case of any young adult to whom subsection (f) of section 23 applies, the department shall make reasonable efforts to place the child or young adult in a timely manner in accordance with the permanency plan including, if appropriate, through an interstate placement, and to complete whatever steps are necessary to finalize the permanent placement of the child or young adult. In subsequent permanency hearings held on behalf of the child or young adult, the court shall determine whether the department has made such efforts in accordance with section 29C.

- (e) A child, parent of a child, guardian, young adult, or the department may appeal to the appeals court from the determination or order of the trial court. The claim of appeal shall be filed in the office of the clerk or register of the trial court within 30 days following the court's determination or order. Thereafter, the appeal shall be governed by the Massachusetts Rules of Appellate Procedure. The scope of appellate review shall be limited to abuse of judicial discretion.
- SECTION 22. Section 29C of said chapter 119, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:-
- If a young adult continues under the responsibility of the department pursuant to subsection (f) of section 23, the committing court shall continue to annually determine whether the department or its agent has made reasonable efforts to achieve the permanent plan approved by the court under section 29B.
- SECTION 23. The final paragraph of section 20B of chapter 148 of the General Laws, as appearing in section 2 of chapter 160 of the acts of 2010, is hereby amended by adding the following paragraph:-
- The marshal shall not issue or renew a certificate of competency and shall suspend a certificate of competency of any person who is the subject of a restraining order issued pursuant to chapter 209A while that order is in effect.
- SECTION 24. Section 7 of chapter 150E of the General Laws, as so appearing, is hereby amended by inserting after the word "Massachusetts", in lines 8 and 22, the following words:-,
- the chief justice for administration and management.

SECTION 25. Section 138 of chapter 164 of the General Laws, as so appearing, is hereby amended by striking out, in lines 39 and 40 and in lines 57 and 58, the words "owned or operated by a customer which is" and inserting in place thereof, in each instance, the following word:- of.

- 1529 **SECTION 26.** Said section 138 of said chapter 164, as so appearing, is hereby further amended
- by striking out, in line 48, the words "if a customer is" and inserting in place thereof the
- 1531 following words:- for a Class III net metering facility of.
- 1532 **SECTION 27**. Said section 138 of said chapter 164, as so appearing, is hereby further amended
- by inserting after the definition of "Net metering" the following definition:-
- "Net metering facility of a municipality or other governmental entity", a Class II or III
- net metering facility: (1) that is owned or operated by a municipality or other governmental
- entity; or (2) of which the municipality or other governmental entity is assigned 100 per cent of
- the output.
- 1538 **SECTION 28**. Section 139 of said chapter 164, as so appearing, is hereby amended by striking
- out in lines 9, 11 and in lines 13 and 14, the words "wind or solar".
- 1540 **SECTION 29**. Subsection (f) of said section 139 of said chapter 164, as so appearing, is hereby
- amended by striking out the first sentence and inserting in place thereof the following 3
- sentences:- The aggregate net metering capacity of facilities that are not net metering facilities of
- a municipality or other governmental entity shall not exceed 1 per cent of the distribution
- 1544 company's peak load. The aggregate net metering capacity of net metering facilities of a
- municipality or other governmental entity shall not exceed 2 per cent of the distribution
- 1546 company's peak load. The maximum amount of generating capacity eligible for net metering by
- a municipality or other governmental entity shall be 10 megawatts.
- **SECTION 30.** Said section 139 of said chapter 164, as so appearing, is hereby further amended
- by inserting after the word "section", in line 74, the following words:-, including adoption of a
- system that provides proposed net metering facilities of a municipality or other governmental
- entity an assurance of net metering eligibility at the time the facilities meet criteria established by
- the department. Nothing in this subsection shall limit the department's authority to adopt rules
- and regulations relating to other proposed net metering facilities.
- 1554 **SECTION 31.** Chapter 176D of the General Laws is hereby amended by inserting after section
- 1555 3B the following section:-
- Section 3C. (a) As used in this section, the following words shall, unless the context
- 1557 clearly requires otherwise, have the following meanings:-
- "Ambulance service provider", a person or entity licensed by the department of public
- health under section 6 of chapter 111C to establish or maintain an ambulance service.
- "Ambulance services", 1 or more of the services that an ambulance service provider is
- authorized to render under its ambulance service license.

"Insurance policy" and "insurance contract", a contract of insurance, motor vehicle insurance, indemnity, medical or hospital service, dental or optometric, suretyship or annuity issued, proposed for issuance or intended for issuance by any insurer.

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"Insured", an individual entitled to ambulance services benefits under an insurance policy or insurance contract.

"Insurer", a person as defined in section 1 of chapter 176D; any health maintenance organization as defined in section 1 of chapter 176G; a non-profit hospital service corporation organized under chapter 176A; any organization as defined in section 1 of chapter 176I that participates in a preferred provider arrangement also as defined in said section 1 of said chapter 176I; any carrier offering a small group health insurance plan under chapter 176J; any company as defined in section 1 chapter 175; any employee benefit trust; any self-insurance plan, and any company certified under section 34A of chapter 90 and authorized to issue a policy of motor vehicle liability insurance under section 113A of chapter 175 that provides insurance for the expense of medical coverage.

- (b) Notwithstanding any general or special provision of law to the contrary, in any instance in which an ambulance service provider provides an ambulance service to an insured but is not an ambulance service provider under contract to the insurer maintaining or providing the insured's insurance policy or insurance contract, the insurer maintaining or providing such insurance policy or insurance contract shall pay the ambulance service provider directly and promptly for the ambulance service rendered to the insured. Such payment shall be made to the ambulance service provider notwithstanding that the insured's insurance policy or insurance contract contains a prohibition against the insured assigning benefits thereunder so long as the insured executes an assignment of benefits to the ambulance service provider and such payment shall be made to the ambulance service provider in the event an insured is either incapable or unable as a practical matter to execute an assignment of benefits under an insurance policy or insurance contract pursuant to which an assignment of benefits is not prohibited, or in connection with an insurance policy or insurance contract that contains a prohibition against any such assignment of benefits. An ambulance service provider shall not be considered to have been paid for an ambulance service rendered to an insured if the insurer makes payment for the ambulance service to the insured. An ambulance service provider shall have a right of action against an insurer that fails to make a payment to it pursuant to this subsection.
- SECTION 32. Chapter 176J of the General Laws is hereby amended by striking out section 11, as added by section 33 of chapter 288 of the acts of 2010, and inserting in place thereof the following section:-
- Section 11. (a) A carrier that offers a health benefit plan that: (i) provides or arranges for the delivery of health care services through a closed network of health care providers; and (ii) as of

the close of any preceding calendar year, has a combined total of 5,000 or more eligible individuals, eligible employees and eligible dependents, who are enrolled in health benefit plans sold, issued, delivered, made effective or renewed to qualified small businesses or eligible individuals, shall offer to all eligible individuals and small businesses in at least 1 geographic area at least 1 plan with either a reduced or selective network of providers or a plan in which providers are tiered and member cost sharing is based on the tier placement of the provider.

1604 The base premium for the reduced or selective or tiered network plan shall be at least 12 per cent lower than the base premium of the carrier's most actuarially similar plan with the carrier's non-1605 1606 selective or non-tiered network of providers. The savings may be achieved by means including, 1607 but not limited to: (i) the exclusion of providers with similar or lower quality based on the 1608 standard quality measure set with higher health status adjusted total medical expenses or relative 1609 prices, as determined under section 6 of chapter 118G; or (ii) increased member cost-sharing for members who utilize providers for non-emergency services with similar or lower quality based 1610 1611 on the standard quality measure set and with higher health status adjusted total medical expenses 1612 or relative prices, as determined under section 6 of chapter 118G.

- 1613 (b) A tiered network plan shall only include variations in member cost-sharing between provider
 1614 tiers which are reasonable in relation to the premium charged and ensure adequate access to
 1615 covered services. Carriers shall tier providers based on quality performance as measured by the
 1616 standard quality measure set and by cost performance as measured by health status adjusted total
 1617 medical expenses and relative prices. Where applicable quality measures are not available,
 1618 tiering may be based solely on health status adjusted total medical expenses or relative prices or
 1619 both.
- 1620 The commissioner shall promulgate regulations requiring the uniform reporting of tiering information, including, but not limited to requiring, at least 90 days before the proposed effective 1621 1622 date of any tiered network plan or any modification in the tiering methodology for any existing tiered network plan, the reporting of a detailed description of the methodology used for tiering 1623 1624 providers, including: the statistical basis for tiering; a list of providers to be tiered at each 1625 member cost-sharing level; a description of how the methodology and resulting tiers will be 1626 communicated to each network provider, eligible individuals and small groups; and a description 1627 of the appeals process a provider may pursue to challenge the assigned tier level.
- 1628 (c) The commissioner shall determine network adequacy for a tiered network plan based on the availability of sufficient network providers in the carrier's overall network of providers.
- (d) The commissioner shall determine network adequacy for a selective network plan based on the availability of sufficient network providers in the carrier's selective network.

- 1632 (e) In determining network adequacy under this section the commissioner of insurance may take
- 1633 into consideration factors such as the location of providers participating in the plan and
- employers or members that enroll in the plan, the range of services provided by providers in the
- plan and plan benefits that recognize and provide for extraordinary medical needs of members
- that may not be adequately dealt with by the providers within the plan network.
- 1637 (f) Carriers may: (i) reclassify provider tiers; and (ii) determine provider participation in
- selective and tiered plans no more than once per calendar year except that carriers may reclassify
- providers from a higher cost tier to a lower cost tier or add providers to a selective network at
- any time. If the carrier reclassifies provider tiers or providers participating in a selective plan
- during the course of an account year, the carrier shall provide affected members of the account
- with information regarding the plan changes at least 30 days before the changes take effect.
- 1643 Carriers shall provide information on their websites about any tiered or selective plan, including
- but not limited to, the providers participating in the plan, the selection criteria for those providers
- and where applicable, the tier in which each provider is classified.
- 1646 (g) The division of insurance shall report annually on utilization trends of eligible employers and
- eligible individuals enrolled in plans offered under this section. The report shall include the
- number of members enrolled by plan type, aggregate demographic, geographic information on
- all members and the average direct premium claims incurred, as defined in section 6, for
- selective and tiered network products compared to non-selective and non-tiered products.
- SECTION 33. Section 102C of chapter 266 of the General Laws, as appearing in section 6 of
- 1652 chapter 160 of the acts of 2010, is hereby further amended by striking out the words "or secrets"
- and inserting in place thereof the following words:-, secretes or.
- 1654 **SECTION 34**. The fourth paragraph of section 15 of chapter 701 of the acts of 1960, as
- amended by section 159 of chapter 240 of the acts of 2010, is hereby further amended by striking
- out the first sentence and inserting in place thereof the following sentence:- No contract shall be
- awarded by the authority for construction work or for the purchase of equipment supplies or
- materials whether for repairs or original construction, the estimated cost of which amounts to
- \$25,000 or more, except in cases of special emergency involving the health, convenience or
- safety of the people using the facilities of the authority unless proposals for the same have been
- invited by advertisements in at least 1 newspaper circulating in each of the towns of Falmouth,
- Nantucket and Barnstable, the city of New Bedford and the county of Dukes county, once a week
- 1663 for at least 2 consecutive weeks, the last publication to be at least 1 week before the time
- specified for the opening of said proposals.
- SECTION 35. Subsection (a) of section 4 of chapter 614 of the acts of 1968, as most recently
- amended by section 161 of said chapter 240, is hereby further amended by striking out the third
- and fourth sentences and inserting in place thereof the following sentence:- The authority shall

- be governed by the board of the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws and the board members of the agency shall serve
- as trustees for any existing authority trust.
- **SECTION 36.** Chapter 324 of the acts of 1987, as most recently amended by chapter 131 of the
- acts of 2010, is hereby further amended by striking out section 8 and inserting in place thereof
- the following section:-
- Section 8. Section 6 of this act shall take effect on September 30, 2010.
- SECTION 37. Item 6001-0884 of section 2C of chapter 303 of the acts of 2008, as amended by
- section 37 of chapter 26 of the acts of 2009, is hereby further amended by adding the following
- 1677 words:- ; and provided further, that the amounts specified in this item for a particular project
- may be adjusted to facilitate other projects relating to rail improvement under said chapter 161C.
- 1679 **SECTION 38**. The first sentence of subsection (c) of section 119 of chapter 27 of the acts of
- 1680 2009 is hereby amended striking out the figure "\$399,000,000" and inserting in place thereof the
- 1681 following figure:- \$534,000,000;

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- SECTION 39. Said subsection (c) of said section 119 of said chapter 27 is hereby further
- amended by adding the following paragraph:-

The secretary of health and human services shall make payments from the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws, totaling an amount not to exceed \$135,000,000 to privately owned acute hospitals in the commonwealth for purposes of transitional relief. Such transitional relief payments shall be in addition to payments from the Medical Assistance Trust Fund made pursuant to supplemental payment agreements entered into between the executive office of health and human services and hospitals designated by the commonwealth as Essential MassHealth Hospitals and Public Service Hospitals. Transitional relief payments shall be subject to approval by the Centers for Medicare and Medicaid Services of such payments in the amendment to the MassHealth Section 1115 Demonstration as submitted by the commonwealth on March 1, 2010, and in accordance with the methodology approved therein. Such payments may be made only pursuant to written certification to the comptroller and the house and senate committees on ways and means by the secretary of administration and finance that sufficient state revenue is available to fund the nonfederal share for such payments, consistent with the requirement for a balanced budget.

- **SECTION 40**. Section 1 of chapter 59 of the acts of 2009 is hereby amended by striking out the
- definition of "TDC committee" and inserting in place thereof the following definition:-

1700 "TDC committee", the Templeton Developmental Center Visioning Committee, which 1701 shall include 3 representatives of the town of Templeton, 1 of whom shall be a member of the Templeton board of selectmen or his designee who shall serve as chairperson, 1 of whom shall 1702 1703 be a member of the Templeton planning board or his designee, and 1 of whom shall be chosen by 1704 the Templeton board of selectmen; 1 representative of the community preservation committee; 1 representative of the division of capital asset management and maintenance; 1 representative of 1705 1706 the department of developmental services; 1 representative of the employees of the Templeton 1707 Development Center; and 1 representative of the legal guardians of the clients currently housed at Templeton Developmental Center; provided, however, that the members, other than the 1708 1709 members who are representatives of the state agencies, shall be appointed annually by the local 1710 governing authority. The senator and representative who represent the town shall serve as ex-1711 officio members.

- SECTION 41. Said chapter 59 is hereby further amended by inserting after section 2 the following section:-
- Section 2A. The TDC committee shall evaluate and make recommendations to the commissioner on the use of the TDC site including, but not limited to, the continued use of the site as a state facility or other alternative uses for the TDC site. The TDC committee shall inform the town's governing authority and the local community periodically of its proposals and decisions relevant to the use of the TDC site.
- 1719 **SECTION 42**. Item 1599-4336 of section 2A of chapter 120 of the acts of 2010 is hereby
- amended by striking out the words "Correction Officers New England Police Benevolent
- 1721 Association/AFL-CIO, Local 275" and inserting in place thereof the following words:- NAGE
- 1722 06, Local RI-255.
- 1723 **SECTION 43.** Item 0321-1520 of section 2 of chapter 131 of the acts of 2010 is hereby
- amended by striking the figure "\$1,000,000" and inserting in place thereof the following figure:-
- 1725 \$2,000,000.
- SECTION 44. Item 0699-0015 of said section 2 of said chapter 131 is hereby amended by adding the following words:-

- SECTION 45. Item 1100-1100 of said section 2 of said chapter 131 is hereby amended by striking out the words "and the administration of the fiscal affairs division".

| 17321733 | SECTION 46 . Item 1201-0100 of said section 2 of said chapter 131 is hereby amended by striking out the word "funds" and inserting in place thereof the following figure: \$1,000,000. |
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| 1734 | SECTION 47 . Said section 2 of said chapter 131 is hereby further amended by striking out item |
| 1735 | 1599-1977 and inserting in place thereof the following item:- |
| 1736 | 1599-1977 For contract assistance and other payments to the Massachusetts Development |
| 1737 | Finance Agency for payment of debt service and related obligations in |
| 1738 | connection with bonds issued by the agency under chapter 293 of the acts of |
| 1739 | 2006 and chapter 303 of the acts of 2008\$ 1,393,338 |
| 1740 | SECTION 48. No Section 48. |
| 1741 | SECTION 49. Item 2000-0100 of said section 2 of said chapter 131 is hereby amended by |
| 1742 | striking out the words "may engage in a program of collaborative research with academic |
| 1743 | institutions that apply satellite and other technologies in an innovative manner to an existing |
| 1744 | methodological model previously used in other fisheries to assess the biomass of groundfish in |
| 1745 | the region managed by the New England Fishery Management Council; provided further, that the |
| 1746 | executive office may" and inserting in place thereof the following words:- shall engage in a |
| 1747 | program of collaborative research with academic institutions that apply satellite and other |
| 1748 | technologies in an innovative manner to an existing methodological model previously used in |
| 1749 | other fisheries to assess the biomass of groundfish in the region managed by the New England |
| 1750 | Fishery Management Council; provided further, that the executive office shall. |
| 1751 | SECTION 50 . Item 2310-0200 of said section 2 of said chapter 131 is hereby amended by |
| 1752 | adding the following words:- |
| 1753 | Inland Fisheries and Game Fund |
| 1754 | SECTION 51. Item 4000-0600 of said section 2 of said chapter 131 is hereby amended by |
| 1755 | inserting after the word "consortia" the following words:-; provided further, that the secretary |
| 1756 | of health and human services shall issue a report to the house and senate committees on ways |
| 1757 | and means not later than December 1, 2010, relative to the implementation of the preadmission |
| 1758 | counseling and assessment program including, but not limited to, expenditures for the program. |
| 1759 | SECTION 52 . Item 4000-0640 of said section 2 of said chapter 131 is hereby amended by |
| 1760 | adding the following words:-; and provided further, that effective July 1, 2010 for the fiscal year |
| 1761 | ending June 30, 2011, the division shall establish nursing facility supplemental Medicaid rates |
| 1762 | from funding made available under section 159. |
| 1763 | SECTION 53. Item 4403-2000 of said section 2 of said chapter 131 is hereby amended by |
| 1764 | adding the following words:-; provided further, that notwithstanding any general or special law |

to the contrary, 90 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis and reasons for the proposed changes; provided further, that the report shall state exactly which components of the current benefit package shall be altered and the department's assessment of the effects of such benefit or eligibility changes upon recipient families and the number of families affected by the benefit changes; provided further, that the report shall outline all steps that the department has taken to avoid or mitigate any such benefit changes; provided further, the report shall detail the savings realized by any such changes to benefits or eligibility; and provided further, that no benefit changes shall go into effect before January 17, 2011.

SECTION 54. Item 4408-1000 of said section 2 of said chapter 131 is hereby amended by adding the following words:-; provided further, that notwithstanding any general or special law to the contrary, 90 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis and reasons for the proposed changes; provided further, that the report shall state exactly which components of the current benefit package shall be altered and the department's assessment of the effects of such benefit or eligibility changes upon recipient families and the number of families affected by the benefit changes; provided further, that the report shall outline all steps that the department has taken to avoid or mitigate any such benefit changes; provided further, that the report shall detail the savings realized by any such changes to benefits or eligibility; and provided further that no benefit changes shall go into effect before January 17, 2011.

- SECTION 55. Item 4512-0200 of said section 2 of said chapter 131 is hereby amended by adding the following words:-
- Substance Abuse Prevention and Treatment Fund 100%
- SECTION 56. Item 4512-0202 of said section 2 of said chapter 131 is hereby amended by adding the following words:-
- Substance Abuse Prevention and Treatment Fund 100%

SECTION 57. Item 4513-1020 of said section 2 of said chapter 131 is hereby amended by inserting before the last proviso the following 3 provisos:- ; provided further, that the department of public health, in consultation with the division of medical assistance and the division of health care finance and policy, shall develop and implement a contracting and payment methodology for early intervention services including intensive specialty services for Medicaid-eligible children with intensive service needs; provided further, that early intervention services shall be provided in compliance with applicable early intervention operational

| 1800 1801 1802 | standards; and provided further, that the department shall implement the methodology by December 1, 2010 and shall provide written notification to the house and senate committees on ways and means 30 days prior to such implementation. |
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| 1803 1804 | SECTION 58 . Item 4590-0250 of said section 2 of said chapter 131 is hereby amended by adding the following words:- |
| 1805 | Substance Abuse Prevention and Treatment Fund 100% |
| 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 | SECTION 59. Item 7004-0101 of said section 2 of said chapter 131 is hereby amended by adding the following words:-; provided further, that in promulgating, amending or rescinding regulations with respect to eligibility or benefits under this program, the department shall take into account the amounts available to it for expenditure in this item so as not to exceed the amount appropriated in this item; provided further, that notwithstanding any general or special law to the contrary, 90 days before promulgating any such eligibility or benefit changes, the undersecretary shall file with the house and senate committees on ways and means and the clerks of the senate and house of representatives a determination by the secretary of housing and economic development that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that in fiscal year 2011, no such determination and report shall be filed prior to December 5, 2010; provided further, that all expenditures from this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item. |
| 1821 1822 | SECTION 60. Item 7007-0900 of said section 2 of said chapter 131 is hereby amended by adding the following words:- |
| 1823 | Massachusetts Tourism Fund |
| 1824 1825 | SECTION 61. Item 7007-0901 of said section 2 of said chapter 131 is hereby amended by adding the following words:- |
| 1826 | Massachusetts Tourism Fund100% |
| 1827 1828 | SECTION 62. Item 7007-1000 of said section 2 of said chapter 131 is hereby amended by adding the following words:- |
| 1829 | Massachusetts Tourism Fund |
| 1830 1831 | SECTION 63. Item 7077-0023 of said section 2 of said chapter 131 is hereby amended by striking out the words "the resident veterinary tuition remission plan submitted January 9, |

- 1832 1988" and inserting in place thereof the following words:- a resident veterinary tuition remission
- plan as approved by the commissioner of higher education.
- 1834 **SECTION 64.** Item 7100-0200 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$10,689,530" and inserting in place thereof the following figure:-
- 1836 \$38,946,312.
- 1837 **SECTION 65**. Item 7109-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$856,633" and inserting in place thereof the following figure:-
- 1839 \$3,121,063.
- **SECTION 66.** Item 7110-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$602,567" and inserting in place thereof the following figure:-
- 1842 \$2,195,397.
- 1843 **SECTION 67**. Item 7112-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$538,485" and inserting in place thereof the following figure:-
- 1845 \$1,961,920.
- **SECTION 68.** Item 7113-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$311,422" and inserting in place thereof the following figure:-
- 1848 \$1,134,637.
- **SECTION 69.** Item 7114-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$862,906" and inserting in place thereof the following figure:-
- 1851 \$3,143,918.
- **SECTION 70.** Item 7115-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$503,180" and inserting in place thereof the following figure:-
- 1854 \$1,833,290.
- **SECTION 71.** Item 7116-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$512,833" and inserting in place thereof the following figure:-
- 1857 \$1,868,460.
- 1858 **SECTION 72**. Item 7117-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$329,394" and inserting in place thereof the following figure:-
- 1860 \$1,200,117.
- **SECTION 73.** Item 7118-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$305,027" and inserting in place thereof the following figure:-
- 1863 \$1,111,338.

- **SECTION 74.** Item 7502-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$203,308" and inserting in place thereof the following figure:- \$740,734.
- 1866 **SECTION 75**. Item 7503-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$350,498" and inserting in place thereof the following figure:-
- 1868 \$1,277,007.
- 1869 **SECTION 76.** Item 7504-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$250,703" and inserting in place thereof the following figure:- \$913,413.
- **SECTION 77.** Item 7505-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$199,807" and inserting in place thereof the following figure:- \$727,978.
- 1873 **SECTION 78.** Item 7506-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$406,289" and inserting in place thereof the following figure:-
- 1875 \$1,480,276.
- 1876 **SECTION 79**. Item 7507-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$304,284" and inserting in place thereof the following figure:-
- 1878 \$1,108,631.
- 1879 **SECTION 80**. Item 7508-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$440,840" and inserting in place thereof the following figure:-
- 1881 \$1,606,160.
- **SECTION 81**. Item 7509-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$278,098" and inserting in place thereof the following figure:-
- 1884 \$1,013,224.
- 1885 **SECTION 82**. Item 7510-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$415,241" and inserting in place thereof the following figure:-
- 1887 \$1,512,892.
- 1888 **SECTION 83**. Item 7511-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$446,409" and inserting in place thereof the following figure:-
- 1890 \$1,626,450.
- 1891 **SECTION 84.** Item 7512-0100 of said section 2 of said chapter 131 is hereby amended by
- striking out the figure "\$330,099" and inserting in place thereof the following figure:-
- 1893 \$1,202,685.

| 1894 1895 | SECTION 85 . Item 7514-0100 of said section 2 of said chapter 131 is hereby amended by striking out the figure "\$535,107" and inserting in place thereof the following figure:- |
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| 1896 | \$1,949,613. |
| 1897 | SECTION 86. Item 7515-0100 of said section 2 of said chapter 131 is hereby amended by |
| 1898 | striking out the figure "\$246,384" and inserting in place thereof the following figure:- \$897,677. |
| 1899 | SECTION 87. Item 7516-0100 of said section 2 of said chapter 131 is hereby amended by |
| 1900 1901 | striking out the figure "\$435,379" and inserting in place thereof the following figure:-\$1,585,086. |
| 1902 | SECTION 88. Item 7518-0100 of said section 2 of said chapter 131 is hereby amended by |
| 1903 1904 | striking out the figure "\$452,379" and inserting in place thereof the following figure:-\$1,648,201. |
| 1905 | SECTION 89. Item 1000-0005 of section 2B of said chapter 131 is hereby amended by striking |
| 1906 | out the figure "\$750,000" and inserting in place thereof the following figure:- \$850,000. |
| 1907 | SECTION 90. Section 2D of said chapter 131 is hereby amended by inserting after item 0840- |
| 1908 | 4620 the following item:- |
| 1909 | Massachusetts Developmental Disabilities Council. |
| 1910 | 1100-1703 For the purposes of a federally funded grant entitled, Implementation of the |
| 1911 | Federal Developmental Disabilities Act; provided, that in order to qualify for |
| 1912 1913 | the grant, this account shall be exempt from the first \$290,000 of fringe benefit and indirect cost charges pursuant to section 6B of chapter 29 of the |
| 1913 | General Laws\$3,280,078 |
| 1915 | SECTION 91. Said section 2D of said chapter 131 is hereby further amended by inserting after |
| 1916 | item 1201-0412 the following item:- |
| 1917 | Disabled Persons Protection Commission. |
| 1918 | 1107-2509 For the purposes of a federally funded grant entitled, Disabled Persons |
| 1919 | Protection Commission, Multi-Disciplinary Responses to Crime\$200,000. |
| 1920 | SECTION 92. Section 2E of said chapter 131 is hereby amended by striking out item 1595- |
| 1921 | 1068 and inserting in place thereof the following item:- |
| 1922 | 1595-1068 For an operating transfer to the MassHealth provider payment account in the |
| 1923 | Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of |
| 1924 | the General Laws, notwithstanding the requirement that transfers be |

completed no later than June 30, 2011 in the introductory paragraph of this section; provided, that these funds shall be expended only for services provided during state or federal fiscal year 2011, and no amounts previously or subsequently transferred into the Medical Assistance Trust Fund shall be expended on payments described in the section 1115 demonstration waiver for services provided during state fiscal year 2011, or payments described in the state plan for services provided during federal fiscal year 2011; provided further, that all payments from the Medical Assistance Trust Fund shall be subject to the availability of federal financial participation, shall be made only in accordance with federally-approved payment methods, shall be consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services and shall be subject to the terms and conditions of an agreement with the executive office of health and human services; provided further, that any increase in payment made from the trust fund totaling an amount greater than \$251,000,000 in fiscal year 2011 shall be made only after the secretary of health and human services certifies that any increase in payments from the trust fund shall not exceed the negotiated limit for section 1115 waiver spending; provided further, that the secretary of health and human services shall notify, in writing, the house and senate committees on ways and means and the joint committee on health care financing of any increases in payments within 15 days; provided further, that the secretary of health and human services shall make a payment of up to \$247,605,130 from the Medical Assistance Trust Fund to the Cambridge Public Health Commission for dates of service in state and federal fiscal year 2011, only after the Cambridge Public Health Commission transfers up to \$95,105,130 of its funds to the Medical Assistance Trust Fund using a federally-permissible source of funds which shall fully satisfy the nonfederal share of such payment; and provided further, that the secretary of health and human services shall make payments from the Medical Assistance Trust Fund totaling an amount not to exceed \$135,000,000 to privately owned acute hospitals in the commonwealth for purposes of transitional relief. Such transitional relief payments shall be in addition to payments from the Medical Assistance Trust Fund made pursuant to supplemental payment agreements entered into between the executive office of health and human services and hospitals designated by the commonwealth as Essential MassHealth Hospitals and Public Service Hospitals. Transitional relief payments shall be subject to approval by the Centers for Medicare and Medicaid Services of such payments in the amendment to the MassHealth Section 1115 Demonstration as submitted by the commonwealth on March 1, 2010, and in accordance with the methodology approved therein. Such payments may be made only pursuant to written certification to the comptroller and the house and senate committees on ways and means by the secretary of administration and finance that sufficient state revenue is available to fund the non-federal share for such payments, consistent with the requirement for a balanced budget\$527,500,000.

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SECTION 93. Item 1595-5819 of said section 2E of said chapter 131 is hereby amended by inserting after the words "proposed transfer" the following words:-; and provided further, that notwithstanding any general or special law to the contrary, if the secretary of administration and finance determines that amounts transferred from the General Fund to the Commonwealth Care Trust Fund are not needed to support the costs of the commonwealth care and Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2011, the secretary of administration and finance shall notify the comptroller and the house and senate committees on ways and means of this determination and the comptroller shall transfer such amounts from the Commonwealth Care Trust Fund back to the General Fund.

SECTION 94. Section 133 of said chapter 131 is hereby amended by adding the following paragraph:-

Not later than January 1, 2011 and quarterly thereafter, the executive office shall submit a report detailing progress implementing this program to the secretary of administration and finance, the joint committee on health care financing, the joint committee on public health and the house and senate committees on ways and means.

SECTION 95. Said chapter 131 is hereby further amended by striking out section 136 and inserting in place thereof the following section:-

Section 136. (a) Notwithstanding any general or special law to the contrary and except as provided in subsection (b), an eligible individual pursuant to section 3 of chapter 118H of the General Laws shall not include a person who is not eligible to receive federally-funded benefits under sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, as amended, for fiscal year 2011.

(b) Notwithstanding any general or special law to the contrary, the secretary of administration and finance, the secretary of health and human services and the executive director of the health insurance connector authority may, in their discretion and subject only to the terms and conditions in this subsection, establish or designate a health insurance plan in which a person who is not eligible to receive federally-funded benefits under said sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, but who is an eligible individual pursuant to said section 3 of said chapter 118H may enroll for the period including July 1, 2010 to June 30, 2011, inclusive. The plan may be contracted for selectively from the health plans that contracted in fiscal year 2010 to provide insurance coverage to commonwealth care or MassHealth enrollees. Notwithstanding any general or special law to the contrary, the secretary of administration and finance, the secretary of health and human services and the executive director of the commonwealth health insurance connector authority may, in their discretion and subject only to the terms and conditions in this subsection, make payments from the Commonwealth Care Trust Fund established in section 2000 of chapter 29 of the General Laws to operate the health insurance plan established

- pursuant to subsection (b) of section 31 of chapter 65 of the acts of 2009; provided, further, that expenditure of such funds shall not result in a loss or reduction of services provided to commonwealth care enrollees. If the secretary of administration and finance, the secretary of health and human services and the executive director of the health insurance connector authority determine that the projected costs of enrolling eligible individuals in such coverage in fiscal year
- 2011 2011 will exceed existing funds in the trust fund that are available for this program, they may
- 2012 limit enrollment in such coverage.
- SECTION 96. Said chapter 131 is hereby further amended by striking out section 149 and inserting in place thereof the following section:-
- Section 149. Notwithstanding any general or special law to the contrary, when the comptroller disposes of the consolidated net surplus for fiscal year 2011 under subsection (a) of section 5C of chapter 29 of the General Laws, the comptroller shall not carry forward 0.5 per cent of the total revenue from taxes in fiscal year 2011 unless the secretary of administration of finance provides written notice that there are sufficient funds available to make all or a portion of the 0.5 per cent carry forward.
- 2021 **SECTION 97.** Section 158 of said chapter 131 is hereby repealed.
- 2022 **SECTION 98.** Section 187 of said chapter 131 is hereby repealed.
- SECTION 99. Section 165 of chapter 240 of the acts of 2010 is hereby repealed.
- 2024 **SECTION 100**. Section 196 of said chapter 240 is hereby amended by striking out the words
- "and 186" and inserting in place thereof the following words:-, 186 and 187.
- 2026 **SECTION 101**. Section 197 of said chapter 240 is hereby amended by striking out the words
- "and 126" and inserting in place thereof the following words:-, 126 and 129.
- 2028 **SECTION 102**. Chapter 256 of the acts of 2010 is hereby amended by striking out section 145
- 2029 and inserting in place thereof the following section:-
- 2030 Section 145. Sections 2 to 7, inclusive, 12, 16 to 19, inclusive, 21 to 26, inclusive, 28, 30
- 2031 to 37, inclusive, 56, 62, 65, 66, 105, 106, 119, 122 and 128 to 133, inclusive shall take effect on
- 2032 May 4, 2012.
- SECTION 103. Section 29 of chapter 288 of the acts of 2010 is hereby amended by striking out
- 2034 the words "Rate filing materials submitted for review by the division shall be deemed
- 2035 confidential and exempt from the definition of public records in clause Twenty-sixth of section 7
- 2036 of chapter 4" and inserting in place thereof the following words:- Information related to rate
- 2037 adjustment factors and rates of reimbursement for review by the division shall be deemed

- 2038 confidential and exempt from the definition of public records in clause Twenty-sixth of section 7
- 2039 of chapter 4, unless the commissioner disapproves a rate filing based upon a proposed rate
- adjustment factor and the affected carrier requests a hearing, in which case the rate adjustment
- factor material shall no longer be exempt.
- 2042 **SECTION 104.** Section 31 of said chapter 288 is hereby further amended by striking out the
- word "presumptively".
- **SECTION 105.** Section 34 of said chapter 288 is hereby amended by striking out the words ",
- for each approved group purchasing cooperative, in the aggregate, shall not exceed 85,0000" and
- 2046 inserting in place thereof the following words:- for all approved group purchasing cooperatives,
- in the aggregate, shall not exceed 85,000.
- SECTION 106. Section 50 of said chapter 288 is hereby amended by striking out the words
- "October 1, 2010" and inserting in place thereof the following words:- January 1, 2011.
- 2050 **SECTION 107.** Section 51 of said chapter 288 is hereby amended by striking out the words
- "October 1, 2010" and inserting in place thereof the following words:- January 1, 2011.
- 2052 **SECTION 108.** Section 52 of said chapter 288 is hereby amended by striking out the words
- 2053 "October 1, 2010" and inserting in place thereof the following words:- January 1, 2011.
- SECTION 109. Section 53 of said chapter 288 is hereby amended by striking out the words
- 2055 "October 1, 2010" and inserting in place thereof the following words:- January 1, 2011.
- 2056 **SECTION 110.** The first paragraph of section 54 of said chapter 288 is hereby amended by
- striking out the words "December 31, 2010" and inserting in place thereof the following words:-
- 2058 April 1, 2011.
- 2059 **SECTION 111.** The second paragraph of said section 54 of said chapter 288 is hereby amended
- 2060 by striking out the words "November 1, 2010" and inserting in place thereof the following
- 2061 words:- January 1, 2011.
- SECTION 112. Said second paragraph of said section 54 of said chapter 288 is hereby further
- amended by striking out the words ", who shall serve as the chair" and inserting in place thereof
- 2064 the following words:- and the commissioner of the department of public health or the
- 2065 commissioner's designee, who shall serve as co-chairs.
- 2066 **SECTION 113.** Said second paragraph of said section 54 of said chapter 288 is hereby further
- amended by adding the following 2 sentences:- Members of the committee shall be appointed for
- 2068 terms of 2 years and shall serve until the term is completed or until a successor is appointed.
- 2069 Members shall be eligible to be reappointed and shall serve without compensation.

- 2070 **SECTION 114.** Section 58 of said chapter 288 is hereby amended by striking out the word
- "Medicaid" and inserting in place thereof the following word:- Medical.
- 2072 **SECTION 115.** Section 60 of said chapter 288 is hereby amended by inserting after the words
- 2073 "public health" the following words:-, the commissioner of the division of health care finance
- and policy.
- 2075 **SECTION 116.** Section 61 of said chapter 288 is hereby amended by striking out the words
- 2076 "December 31, 2010" and inserting in place thereof the following words:- April 1, 2011.
- 2077 **SECTION 117.** Section 64 of said chapter 288 is hereby amended by striking out the words
- 2078 "January 1, 2011" and inserting in place thereof the following words:- April 1, 2011.
- 2079 **SECTION 118.** Subsection (e) of section 67 of said chapter 288 is hereby amended by striking
- out the words "February 1, 2011" and inserting in place thereof the following words:- April 1,
- 2081 2011.
- SECTION 119. Section 68 of said chapter 288 of the acts of 2010 is hereby amended by
- 2083 striking out the figures ", 26, 27" and "66".
- SECTION 120. Said section 68 of said chapter 288 is hereby further amended by inserting after
- the figure "39" the following figure:-, 41.
- 2086 **SECTION 121.** Section 71 of said chapter 288 is hereby amended by striking out the figure ",
- 2087 41".
- 2088 **SECTION 122.** Section 73 of said chapter 288 is hereby amended by inserting after the figure
- 2089 "40" the following:- and 66.
- 2090 **SECTION 123.** Said chapter 288 is hereby further amended by adding the following 3
- 2091 sections:-
- Section 74. Section 26 shall take effect on December 1, 2010.
- Section 75. Section 7 shall take effect on April 1, 2011.
- Section 76. Section 27 shall take effect on January 1, 2012.
- 2095 **SECTION 124.** Notwithstanding any general or special law to the contrary, the provision in the
- last sentence of subsection (k) of section 14G of chapter 151A of the General Laws requiring the
- 2097 Medical Security Trust Fund to be in balance by the close of each fiscal year shall not apply for
- 2098 the fiscal year ending June 30, 2010; provided, however, that the division of unemployment

- assistance shall notify the house and senate committees on ways and means at least 45 days prior to any changes to unemployment health insurance contributions or benefits.
- 2101 **SECTION 125.** Notwithstanding chapter 151A of the General Laws or any other general or
- special law to the contrary, the division of unemployment assistance may determine whether an
- individual who meets the requirements of section 4002(g)(1) of the Supplemental Appropriations
- 2104 Act of 2008, as amended, shall be paid emergency unemployment compensation or regular
- 2105 compensation under said chapter 151A for a week of unemployment by applying the provisions
- of Section 4002(g)(2)(A) of said act.
- 2107 **SECTION 126.** Notwithstanding any general or special law to the contrary and within 30 days
- after the effective date of this section, the comptroller shall transfer \$953,742 from the General
- Fund to the Head Injury Treatment Services Trust Fund established in section 59 of chapter 10 of
- the General Laws. Transferred funds shall only be expended from the Head Injury Treatment
- 2111 Services Trust Fund and shall not be transferred to other funds.
- 2112 **SECTION 127**. The special commission established by chapter 7 of the resolves of 2008 is
- 2113 hereby revived and continued. The commission shall report to the general court the results of its
- 2114 investigation and study and its recommendations, if any, by filing the same with the clerks of the
- senate and house of representatives on or before June 27, 2012.
- 2116 **SECTION 128**. Notwithstanding chapter 29C of the General Laws, section 16 of chapter 275 of
- 2117 the acts of 1989, or any other general or special law to the contrary, to assist homeowners in the
- 2118 town of Stow who are customers of the Assabet Water Company and to provide an adequate
- supply of safe drinking water, the water pollution abatement trust created under said chapter 29C
- 2120 may make loans associated with betterments to eligible borrowers pursuant to section 18 of said
- 2121 chapter 29C for costs of water wells and treatment and storage facilities and distribution pipes
- 2122 associated therewith, and may apply to such purposes amounts appropriated to the trust under
- paragraph (a) of said section 16 of said chapter 275 and any investment earnings thereon and any
- 2124 receipts on loans made with such amounts. Any water wells, treatment and storage facilities, and
- 2125 distribution pipes shall constitute drinking water projects for the purposes of said chapter 29C;
- 2126 provided that funds for the water wells, treatment and storage facilities, and distribution pipes
- shall be available only to residents of the town of Stow who are customers of the Assabet Water
- 2128 Company; provided further no application for funding under this section shall be granted after
- June 30, 2011; and provided further that all applications for funds for the drilling of a water well
- 2130 and acquisition or installation of associated treatment and storage facilities and distribution pipes
- shall be subject to section 127B½ of chapter 111 of the General Laws.
- 2132 **SECTION 129**. Notwithstanding any general or special law to the contrary, contingent upon
- receipt of not less than \$27,200,000 in TANF contingency funds authorized by Title IV, section
- 2134 403(b) of the Social Security Act, a sum of \$27,200,000 shall be distributed as supplemental

- 2135 nursing facility Medicaid rates for fiscal year 2011 in item 4000-0640 of section 2 of chapter 131
- 2136 of the acts of 2010.
- 2137 **SECTION 130**. Notwithstanding any general or special law to the contrary, the executive office
- of health and human services shall submit a report not later than January 1, 2011 to the secretary
- of administration and finance, the joint committee on health care financing, the joint committee
- on public health and the house and senate committees on ways and means detailing any observed
- 2141 and projected impact of the prescription monitoring program administered by the department of
- 2142 public health on MassHealth service utilization and expenditures in fiscal years 2011, 2012 and
- 2143 2013.
- 2144 **SECTION 131.** Notwithstanding any general or special law to the contrary, any unexpended
- funds appropriated in item 1000-0001 of section 2 of chapter 27 of the acts of 2009 shall not
- revert and shall be made available for expenditure until June 30, 2011 to pay for any additional
- costs associated with the single statewide audit for fiscal year 2010 or to implement section 14C
- of chapter 7 of the General Laws.
- 2149 **SECTION 132**. (a) Notwithstanding any general or special law to the contrary, the University of
- 2150 Massachusetts system and the president of the university shall retain all tuition for out-of-state
- students at the Lowell campus and the board of trustees for the University of Massachusetts shall
- 2152 promulgate regulations to allow the administration of the Lowell campus to retain all tuition paid
- by students who are not residents of the commonwealth. The regulations shall ensure that no
- resident of the commonwealth shall be denied admission to any campus as a result of the tuition
- 2155 retention program.
- 2156 (b) Notwithstanding any general or special law to the contrary, the University of
- 2157 Massachusetts system and the president of the university shall retain all tuition for out-of-state
- 2158 students at the Dartmouth campus and the board of trustees for the University of Massachusetts
- shall promulgate regulations to allow the administration of the Dartmouth campus to retain all
- 2160 tuition paid by students who are not residents of the commonwealth. The regulations shall ensure
- 2161 that no resident of the commonwealth shall be denied admission to any campus as a result of the
- 2162 tuition retention program.
- 2163 (c) Notwithstanding any general or special law to the contrary, the University of
- 2164 Massachusetts system and the president of the university shall retain all tuition for out-of-state
- students at the Boston campus and the board of trustees for the University of Massachusetts shall
- 2166 promulgate regulations to allow the administration of the Boston campus to retain all tuition paid
- by students who are not residents of the commonwealth. The regulations shall ensure that no
- resident of the commonwealth shall be denied admission to any campus as a result of the tuition
- 2169 retention program.
- 2170 (d) Notwithstanding any general or special law to the contrary, the University of
- 2171 Massachusetts system and the president of the university shall retain all tuition for out-of-state
- 2172 students at the Worcester campus and the board of trustees for the University of Massachusetts
- shall promulgate regulations to allow the administration of the Worcester campus to retain all
- 2174 tuition paid by students who are not residents of the commonwealth. The regulations shall ensure

that no resident of the commonwealth shall be denied admission to any campus as a result of the tuition retention program.

- (e) All out-of-state tuition and fees received by the board of trustees at Bridgewater State University shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (f) All out-of-state tuition and fees received by the board of trustees at Fitchburg State University shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (g) All out-of-state tuition and fees received by the board of trustees at Framingham State University shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (h) All out-of-state tuition and fees received by the board of trustees at Salem State University shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (i) All out-of-state tuition and fees received by the board of trustees at Westfield State University shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (j) All out-of-state tuition and fees received by the board of trustees at Worcester State University shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

(k) All out-of-state tuition and fees received by the board of trustees at Berkshire Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

- (l) All out-of-state tuition and fees received by the board of trustees at Bristol Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (m) All out-of-state tuition and fees received by the board of trustees at Bunker Hill Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (n) All out-of-state tuition and fees received by the board of trustees at Cape Cod Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (o) All out-of-state tuition and fees received by the board of trustees at Greenfield Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (p) All out-of-state tuition and fees received by the board of trustees at Holyoke Community College shall be retained by the board of trustees of that institution in a revolving trust fund or funds and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund or funds at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (q) All out-of-state tuition and fees received by the board of trustees at Massachusetts Bay Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the

tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

- (r) All out-of-state tuition and fees received by the board of trustees at Massasoit Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (s) All out-of-state tuition and fees received by the board of trustees at Middlesex Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (t) All out-of-state tuition and fees received by the board of trustees at Mount Wachusett Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (u) All out-of-state tuition and fees received by the board of trustees at North Shore Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (v) All out-of-state tuition and fees received by the board of trustees at Northern Essex Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (w) All out-of-state tuition and fees received by the board of trustees at Quinsigamond Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

(x) All out-of-state tuition and fees received by the board of trustees at Roxbury Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

- (y) All out-of-state tuition and fees received by the board of trustees at Springfield Technical Community College shall be retained by the board of trustees of that institution in a revolving trust fund and shall be expended as the board may direct. The board shall ensure that no resident of the commonwealth shall be denied admission to the college as a result of the tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not revert to the General Fund.
- (z) Notwithstanding any general or special law to the contrary, for employees of public higher education institutions who are paid from tuition retained pursuant to this section, fringe benefits shall be funded as if those employees' salaries were supported by state appropriations. This section shall apply only to fringe benefits associated with salaries paid from tuition retained by the respective boards of trustees for the University of Massachusetts at Lowell, University of Massachusetts at Dartmouth, University of Massachusetts at Boston, University of Massachusetts at Worcester, Bridgewater State University, Fitchburg State University, Framingham State University, Salem State University, Westfield State University, Worcester State University, Berkshire Community College, Bristol Community College, Bunker Hill Community College, Cape Cod Community College, Greenfield Community College, Holyoke Community College, Massachusetts Bay Community College, Massasoit Community College, Middlesex Community College, Mount Wachusett Community College, North Shore Community College, Northern Essex Community College, Quinsigamond Community College, Roxbury Community College and Springfield Technical Community College, as a direct result of the implementation of this section.
- (aa) The respective boards of trustees for the University of Massachusetts at Lowell, University of Massachusetts at Dartmouth, University of Massachusetts at Boston, University of Massachusetts at Worcester, Bridgewater State University, Fitchburg State University, Framingham State University, Salem State University, Westfield State University, Worcester State University, Berkshire Community College, Bristol Community College, Bunker Hill Community College, Cape Cod Community College, Greenfield Community College, Holyoke Community College, Massachusetts Bay Community College, Massasoit Community College, Middlesex Community College, Mount Wachusett Community College, North Shore Community College, Northern Essex Community College, Quinsigamond Community College, Roxbury Community College and Springfield Technical Community College shall each issue a report on the progress of this initiative no later than February 1 of each year to the house and senate chairs of the joint committee on higher education, the chairs of the house and senate committees on ways and means and the executive office of administration and finance. The report shall include the number of out-of-state students attending the school, the amount of tuition revenue retained under the program and any programs or initiatives funded with the retained revenue.

- SECTION 133. Sections 9, 10 and 18 to 22, inclusive shall also apply to persons who, as of
- January 3, 2011, have attained the age of 18 and have not yet reached the age of 22, are, on
- January 3, 2011, under the responsibility of the department, and are eligible, or were eligible, on
- 2337 their eighteenth birthday, under section 472 of Title IV(E) of the Social Security Act, 42 U.S.C.
- § 672 for foster care maintenance payments. The court which last exercised jurisdiction as of the
- person's eighteenth birthday, shall schedule a permanency hearing within the first 90 days, and
- 2340 conduct such hearing within 180 days, after January 3, 2011 for persons who meet the
- aforementioned criteria.
- 2342 **SECTION 134.** Sections 14, 34 and 35 shall be effective on August 5, 2010.
- SECTION 135. Sections 9, 10, 18 to 22, inclusive, and 133 shall be effective on January 3,
- 2344 2011.
- 2345 **SECTION 136.** Section 32 shall take effect on January 1, 2012.
- 2346 **SECTION 137.** Section 132 shall be effective on July 1, 2011.